

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA**

In re:

MERCY HOSPITAL, IOWA CITY, IOWA, *et al.*,

Debtors.

)
) Chapter 11
)
) Case No. 23-00623 (TJC)
)
) Jointly Administered
)
)
)

**CONSENT ORDER GRANTING JOINT MOTION FOR ENTRY OF CONSENT ORDER
(I) VACATING ORDER GRANTING THE PRA MOTION AND (II) SETTING THE
PRA MOTION FOR HEARING**


Upon the motion (the “Motion”)¹ of the above-captioned debtors and debtors-in-possession (collectively, the “Debtors”) and Progressive Rehabilitation Associates LLC (“PRA” and, together with the Debtors, the “Parties”) for entry of an order (this “Order”) vacating the PRA Order and setting the PRA Motion for telephonic hearing as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Public Administrative Order* referring bankruptcy cases entered by the United States District Court for the Northern District of Iowa; and this Court being able to enter a final order consistent with Article III of the United States Constitution; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors’ estates, their creditors, and other parties in interest; and this Court having reviewed the Motion; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for

¹ Capitalized terms used but not defined herein have the meanings given to such terms in the Motion.

the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefore, it is **HEREBY ORDERED THAT**:

1. The PRA Order is vacated. The Clerk of Court is directed to vacate docket number 1003.
2. The Debtors have until Wednesday, May 8, 2024 to file a written response to the PRA Motion.
3. The Court will hold a telephonic hearing on the PRA Motion on **May 31, 2024 at 1:30 PM**. All parties wishing to participate may use the following dial in instructions:
 - a. Call the toll-free number: 1-888-684-8852
 - b. Enter the participant access code: 7148063
 - c. Enter the participant security code: 1234
 - d. After the security code is entered, you will be connected to the conference
 - e. Please mute yourself after you join the conference line.
4. The telephonic hearing will be digitally recorded.
5. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated and entered this 3rd day of May, 2024.



Honorable Thad J. Collins, Chief Judge

Prepared and Submitted By:

NYEMASTER GOODE, P.C.

/s/ Roy Leaf

Roy Leaf, AT0014486
625 First Street SE, Suite 400
Cedar Rapids, IA 52401-2030
Telephone: (319) 286-7002
Facsimile: (319) 286-7050
Email: rleaf@nyemaster.com

- and -

Kristina M. Stanger, AT0000255
Matthew A. McGuire, AT0011932
Dana Hempy, AT0014934
700 Walnut, Suite 1600
Des Moines, IA 50309
Telephone: 515-283-3100
Fax: 515-283-8045
Email: mmcguire@nyemaster.com
kmstanger@nyemaster.com
dhempy@nyemaster.com

- and -

MCDERMOTT WILL & EMERY LLP

Felicia Gerber Perlman (admitted pro hac vice)
Daniel M. Simon (admitted pro hac vice)
Emily C. Keil (admitted pro hac vice)
444 West Lake Street, Suite 4000
Chicago, IL 60606
Telephone: (312) 372-2000
Facsimile: (312) 984-7700
Email: fperlman@mwe.com
dsimon@mwe.com
ekeil@mwe.com

- and -

Jack G. Haake (admitted pro hac vice)
2501 North Harwood Street, Suite 1900
Dallas, TX 75201
Telephone: (214) 295-8000

SHUTTLEWORTH & INGERSOLL

/s/ DRAFT

Dan R. Childers, AT0001422
115 3rd Street SE, Suite 500
PO Box 2107
Cedar Rapids, Iowa 52406-2107
Phone: (319) 365-9461
Facsimile: (319) 365-8443
Email: drc@shuttleworthlaw.com

*Counsel for Progressive Rehabilitation
Associations, LLC*

Facsimile: (972) 232-3098
Email: jhaake@mwe.com

Counsel for Debtors and Debtors-in-Possession